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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/191,132	11/13/1998	WALID AHMED	3-39-39-6-13	8292

7590 02/12/2003

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EXAMINER

HOM, SHICK C

ART UNIT

PAPER NUMBER

2666

DATE MAILED: 02/12/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	09/191,132	AHMED ET AL. <i>(D)</i>	
	<b>Examiner</b>	<b>Art Unit</b>	
	Shick C Hom	2666	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) Responsive to communication(s) filed on 25 November 2002.
- 2a) This action is **FINAL**.                  2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) 2 and 7 is/are withdrawn from consideration.
- 5) Claim(s) 5,10,15 and 19 is/are allowed.
- 6) Claim(s) 1,3,4,6-9,11-14,16-18 and 20 is/are rejected.
- 7) Claim(s) \_\_\_\_\_ is/are objected to.
- 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on \_\_\_\_\_ is/are: a) accepted or b) objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) The proposed drawing correction filed on \_\_\_\_\_ is: a) approved b) disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) The oath or declaration is objected to by the Examiner.

#### Priority under 35 U.S.C. §§ 119 and 120

- 13) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) All b) Some \* c) None of:
1. Certified copies of the priority documents have been received.
2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a)  The translation of the foreign language provisional application has been received.
- 15) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

#### Attachment(s)

- |  |  |
|--|--|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                    | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s). _____ . |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)           | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)  |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ . | 6) <input type="checkbox"/> Other: _____ .                                   |

Art Unit:

**DETAILED ACTION**

***Response to Arguments***

1. Applicant's arguments filed 11/25/02 have been fully considered but they are not persuasive.
  
2. Applicant's arguments with respect to claims 1, 3-6, and 8-20 have been considered but are moot in view of the new ground(s) of rejection.

***Specification***

3. The lengthy specification has not been checked to the extent necessary to determine the presence of all possible minor errors. Applicant's cooperation is requested in correcting any errors of which applicant may become aware in the specification.

***Claim Objections***

4. Claims 1, 5, 6, and 10 are objected to because of the following informalities: in claims 1 and 6 line 7, the words "one or more packets" seem to refer back to "one or more packets" recited in claim 1 line 3 and claim 6 lines 3-4, respectively. If this is true, it is suggested changing "one or more packets"

Art Unit:

to ---the one or more packets---. In claim 1 line 11, claim 5 line 7, and claim 6 line 10, the words "a network node" seem to refer back to "a network node" recited in claim 1 lines 4-5, claim 5 line 4, and claim 6 line 5, respectively. If this is true, it is suggested changing "a network node" to ---the network node---. In claim 1 line 12, claim 5 line 8, claim 6 line 11, and claim 10 line 8 the works "packet" and "a packet" seem to refer back to "one or more packets" recited in claim 1 line 3, claim 6 lines 3-4 and "packets" recited in claims 5 and 10 line 6. If this is true, it is suggested changing "packet" and "a packet" to ---the packets---. Appropriate correction is required.

***Claim Rejections - 35 USC § 103***

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made. This application currently names joint inventors. In

considering patentability of the claims under 35 U.S.C. 103(a),

Art Unit:

the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103<sup>©</sup> and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

6. Claims 12, 13, and 16, 17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Brown et al. in view of Yee et al.

Brown et al. disclose nearly all the subject matter now claimed. Note col. 1 lines 50-56 which recite a method for routing packets in a packet communication network in which each node in the network is uniquely identified clearly anticipate the packet-based communications system including the network node and use of identifiers as in claims 12 and 16. Further, col. 12 line 54 to col. 13 line 15 which recite acquiring the node identifier of the node attached to each port of the dynamic switch whereby

Art Unit:

the node identifier (node ID) is composed of two parts, the first part being the node ID which identifies the self describing product SDP containing the interface that determines the node and the second part being the Interface ID which identifies the interface identifier (ID) that uniquely identifies the physical location of the associated SDP interface clearly anticipate assigning an address to the network node whereby the address being a combination of an identifier of the network node and an identifier of an interface associated with the network node as in claims 1, 6, 12, and 16. Col. 4 lines 35-45 which recite the dynamic switch having ports with simultaneous connections whereby each port have a link address clearly anticipate the multiaccess communications system wherein the interface identifier is a data link address as in claims 13 and 17.

Brown et al. did not recite the mobile user stations in the multiaccess communications system including the network node being able to move within the system in addition to the mobile user stations as in claims 12 and 16.

Yee et al. teach that it is known to provide a satellite based high bandwidth data broadcast to mobile user having a network node which is mobile, i.e. an airborne aircraft or a mobile ground equipment vehicle, in a communications network

Art Unit:

where the mobile user travels far distances or across several geographical boundaries and the use of the subscriber unit identifier ID by the home cell as set forth at col. 1 line 24 to col. 2 line 8 in the field of telecommunications which clearly anticipate the mobile user stations in the multiaccess communications system including the network node being able to move within the system in addition to the mobile user stations as in claims 12 and 16.

It would have been obvious to one having ordinary skill in the art at the time the invention was made to provide the mobile user stations in the multiaccess communications system including the network node being able to move within the system in addition to the mobile user stations and identifier of the mobile user station as taught by Yee et al. to the system of Brown et al. because Brown et al. teach the desirable added feature of satellite based communication and said satellite based communication being desirable to achieve the added feature of wireless mobile communication in Brown et al.

7. Claims 1 and 6 are rejected under 35 U.S.C. 103(a) as being unpatentable over Brown et al. in view of Lindgren et al.

Art Unit:

Brown et al. disclose nearly all the subject matter now claimed. Note col. 1 lines 50-56 which recite a method for routing packets in a packet communication network in which each node in the network is uniquely identified clearly anticipate the packet-based communications system including the network node and use of identifiers as in claims 1 and 6. Further, col. 12 line 54 to col. 13 line 15 which recite acquiring the node identifier of the node attached to each port of the dynamic switch whereby the node identifier (node ID) is composed of two parts, the first part being the node ID which identifies the self describing product SDP containing the interface that determines the node and the second part being the Interface ID which identifies the interface identifier (ID) that uniquely identifies the physical location of the associated SDP interface clearly anticipate assigning an address to the network node whereby the address being a combination of an identifier of the network node and an identifier of an interface associated with the network node as in claims 1 and 6.

Brown et al. did not recite automatically reassigning another address to be associated with the packets of the mobile user station when the station becomes associated with another network node as in claims 1 and 6. Brown et al. did not recite

Art Unit:

the identifier of the mobile user station as in claims 1 and 6.

Lindgren et al. teach that it is known to provide a message indicating that the mobile station being no longer registered with the wireless office whereby the network hub finds the IP address of the wireless office associated with the mobile and automatically updates the translation table as set forth at col. 5 line 56 to col. 6 line 4 in the field of digital and multiplex communications for the purpose of interconnecting a wireless office with a public cellular telephone network which clearly anticipate automatically reassigning another address to be associated with the packets of the mobile user station when the station becomes associated with another network node as in claims 1 and 6 including the identifier of the mobile user station as in claims 1 and 6.

It would have been obvious to one having ordinary skill in the art at the time the invention was made to provide for automatically reassigning another address to be associated with the packets of the mobile user station when the station becomes associated with another network node including identifier of the mobile user station as taught by Lindgren et al. to the system of Brown et al. because Lindgren et al. teach the desirable added feature of wireless mobile communication in Brown et al.

Art Unit:

U.S.C. 103(a).

8. Claims 14, 18, and 20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Brown et al. in view of Yee et al. as applied to claims 12 and 16 above, and further in view of Takagi et al.

Brown et al. in view of Yee et al. did not teach the address of the mobile user station includes an application flow identifier as in claims 14, 18, and the protocol layer providing support to applications associated with respect to mobility of the user station as in claim 20.

Takagi et al. teach that it is known to use an IP datagram for which a set of [source IP address, destination IP address, flow ID] as an entry for the TCP layer relay or the application layer as set forth at col. 13 line 56 to col. 14 line 15 in the field of digital and multiplex communications for the purpose of providing reliable communications using transport layer connection which clearly anticipate the address of the mobile user station includes an application flow identifier as in claims 14 and 18. Col. 27 lines 35-45 which recite the IP datagram to be transmitted by frames having a destination MAC

Art Unit:

address being multicast by frames having a multicast destination MAC address clearly anticipate the protocol layer providing support to applications associated with respect to mobility of the user station as in claim 20.

It would have been obvious to one having ordinary skill in the art at the time the invention was made to provide the address of the mobile user station includes an application flow identifier; and the protocol layer providing support to applications associated with respect to mobility of the user station as taught by Takagi et al. to the system of Brown et al. in view of Yee et al. because Takagi et al. teach the desirable advantage of providing reliable communications using transport layer connection and said reliable communications being desirable to achieve more efficient system operation in Brown et al. in view of Yee et al.

9. Claims 3-4, 8-9, and 11 are rejected under 35 U.S.C. 103(a) as being unpatentable over Brown et al. in view of Lindgren et al. as applied to claims 1 and 6 above, and further in view of Takagi et al.

Art Unit:

Brown et al. in view of Lindgren et al. did not teach the identifier of the mobile user station being an medium access control address of the station and the address of the mobile user station includes an application flow identifier as in claims 3-4, 8-9, and 11.

Takagi et al. teach that it is known to use an IP datagram for which a set of [source IP address, destination IP address, flow ID] as an entry for the TCP layer relay or the application layer as set forth at col. 13 line 56 to col. 14 line 15 in the field of digital and multiplex communications for the purpose of providing reliable communications using transport layer connection which clearly anticipate the address of the mobile user station includes an application flow identifier as in claims 4 and 9. Col. 27 lines 35-45 which recite the IP datagram to be transmitted by frames having a destination MAC address being multicast by frames having a multicast destination MAC address clearly anticipate the identifier of the mobile user station being an medium access control address of the station and the interface identifier being a data link address as in claims 3, 8, and 11.

It would have been obvious to one having ordinary skill in the art at the time the invention was made to provide the

Art Unit:

identifier of the mobile user station being an medium access control address of the station, and the address of the mobile user station includes an application flow identifier as taught by Takagi et al. to the system of Brown et al. in view of Lindgren et al. because Takagi et al. teach the desirable advantage of providing reliable communications using transport layer connection and said reliable communications being desirable to achieve more efficient system operation in Brown et al. in view of Lindgren et al.

***Allowable Subject Matter***

10. Claims 5, 10, 15, and 19 are allowed.

***Conclusion***

11. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Singer et al. disclose a personal locator system.

12. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL.** See MPEP § 706.07(a). Applicant is

Art Unit:

reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

**13. Any response to this final action should be mailed to:**

**Box AF**

Commissioner of Patents and Trademarks  
Washington, D.C. 20231

**or faxed to:**

Art Unit:

(703) 872-9314, (for formal communications; please  
mark "EXPEDITED PROCEDURE")

Or:

(for informal or draft communications, please  
label "PROPOSED" or "DRAFT")

Hand-delivered responses should be brought to Crystal  
Park II, 2121 Crystal Drive, Arlington, VA., Sixth  
Floor (Receptionist).

Any inquiry concerning this communication or earlier  
communications from the examiner should be directed to Shick Hom  
whose telephone number is (703) 305-4742. The examiner's regular  
work schedule is Monday to Friday from 8:00 am to 5:30 pm EST and  
out of office on alternate Friday.

If attempts to reach the examiner by telephone are  
unsuccessful, the examiner's supervisor, Seema Rao, can be  
reached at (703) 308-5463.

Any inquiry of a general nature or relating to the status of  
this application or proceeding should be directed to the

Application/Control Number: 09/191,132

Page 15

Art Unit:

Technology Center 2600 Customer Service Office whose telephone number is (703) 306-0377.

SH

January 30, 2003



DANG TON  
PRIMARY EXAMINER